

Remarks

Claims 3-5 and 14-16 are pending in this application. Claims 14 and 16 stand rejected under 35 U.S.C. 102(b) as anticipated by Popa et al., U.S. patent no. 3,572,379. Claims 3-5 and 15 stand rejected under 35 U. S.C. 103(a) as being obvious over Popa et al. '379. The drawings stand objected to for failing to indicate figs. 1-3 as "prior art."

Claim 3 has been amended by incorporating the limitations of claim 1 from which it formerly depended. Claim 5 has been amended by incorporating the limitations from claim 6, which formerly depended from claim 5. No new matter has been added.

Figures 1-3 have been amended and are submitted herewith. The legend "prior art" has been added to each of figures 1-3.

Claim Rejections – 35 U.S.C 102(b)

Claims 14 and 16 stand rejected under 35 U.S.C. 102(b) as anticipated by Popa et al., U.S. patent no. 3,572,379.

Popa '379 discloses vent construction for a bearing seal that includes a hole in the seal for pressure equalization. Popa's vent includes a membrane as part of the vent but the hole in the seal is formed in the membrane itself. (See Popa '379, abstract; col. 4, lines 3-10). In contrast, claim 14 requires (in part):

"an improvement comprising a hole in the seal and a gas-permeable membrane substantially covering the hole in the seal.."

In contrast to the embodiment of the present invention claimed in claim 14, lubricant may escape through Popa '379's pressure relief hole since the hole is not covered by a gas permeable membrane. Thus, Popa '379 cannot anticipate claim 14. Likewise, method claim 16, which requires covering a hole in the seal with a gas permeable membrane, is not anticipated by Popa for at least the same reasons as for claim 15.

Claim Rejections – 35 U.S.C 103(a)

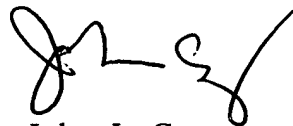
Claims 3-5 and 15 stand rejected under 35 U. S.C. 103(a) as being obvious over Popa et al. '379.

Claim 3 requires (in part) "...an improvement comprising a gas-permeable membrane substantially covering the hole in the seal..." As stated above in connection with claim 14, Popa provides no teaching or suggestion of a gas-permeable membrane substantially covering a hole in the seal. Instead, Popa teaches forming crossed slits in a membrane to form a pressure relief hole. (See Popa '379, col 4., lines 5-10.) Since the Popa lacks the teaching or suggestion of a gas-permeable membrane substantially covering a pressure relief hole in a bearing seal, claim 3 is deemed non-obvious over Popa. Claim 4, which depends from claim 3 and adds further limitations is nonobvious over Popa for at least the same reasons as claim 3.

Claims 5 and 15, likewise, require (in part) a gas-permeable membrane covering a pressure relief hole in a bearing seal. Claims 5 and 15 are deemed nonobvious over Popa for at least the same reasons as described above in connection with claim 3.

Applicants request reconsideration of all pending claims and a notice of allowance. The Examiner is requested to telephone the undersigned if any matters remain outstanding so that they may be resolved expeditiously. The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 19-4972.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John L. Conway', with a stylized flourish at the end.

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